IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE TWENTIETH DAY OF AUGUST
TWO THOUSAND AND FOUR

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PRESENT

THE HON'BLE MR JUSTICE A.GOPAL REDDY

WRIT PETITION NO : 14814 of 2004

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Between:

M.Venkata Durga Prasad, S/o M.Venkat Ratnam,
Chinakondepudi Gram Panchayat, Seethanagaram

Mandal, East Godavari District

..... PETITIONER

AND

-

1 Government of A.P. rep. by its Joint Secretary,

Panchayat Raj & Rural Development Department,
Secretariat, Hyderabad
2 Commissioner, Panchayat Raj & Rural Employment

Department, Government of A.P., Hyderabad
3 Audit Officer, Local Funds, Kakinada, East Godavari

District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ or Order or Direction more fully in the nature of Writ of Mandamus declaring the proceedings in Surcharge in L.G.No.254 dated 20-12-1996 of 3rd respondent herein as confirmed in proceedings No.9016/CPR&RE/Accts.II/98-4 dated 16-6-2004 of the 2nd respondent herein as illegal and unenforceable.

Counsel for the Petitioner: SMT.N.SHOBA

Counsel for Respondents: GP FOR PANCHAYAT RAJ & RURAL

DEVEVELOPMENT.

The Court at the admission stage made the Following ORDER:

Admittedly against the order passed by the Commissioner, appeal lies to the Government under proviso to Rule 6 (1)(a) in G.O.Ms.No.190 PR and R.D. (Pts.I) dated 23-5-1997.

In view of the existence of the alternative remedy of appeal to the Government, this court is not inclined to entertain the writ petition. The petitioner is at liberty to file an appeal before the Government and make all the grounds, which are raised in the writ petition.

Accordingly, the Writ Petition is dismissed.

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A. Gopal Reddy, J.

20th August, 2004.

Js.

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1 The Secretary, Government of A.P. Joint Panchayat Raj

& Rural Development Department,
Secretariat, Hyderabad

2 Commissioner, Panchayat Raj & Rural Employment

Department, Government of A.P., Hyderabad
3 Audit Officer, Local Funds, Kakinada, East Godavari

District.

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